

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:97-cr-76

v.

HON. JANET T. NEFF

TIMOTHY LASHAWN THREATS,

Defendant.

MEMORANDUM OPINION AND ORDER

Defendant Timothy Lashawn Threats has filed a motion for modification or reduction of sentence (Dkt 606) pursuant to 18 U.S.C. §3582(c)(2) based on the modification of the Drug Quantity Table with respect to cocaine base (crack cocaine).

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 750 of the United States Sentencing Guidelines modified U.S.S.G. § 2D1.1, the Drug Quantity Table with regard to cocaine base (crack cocaine), and U.S.S.G. § 2D2.1(b). These modifications were made retroactive effective November 1, 2011. U.S.S.G. § 1B1.10(c).

The defendant is entitled to a reduction of sentence pursuant to the policy statements of the U.S. Sentencing Commission.

Therefore, IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 606) pursuant to 18 U.S.C. § 3582(c)(2) is GRANTED. Defendant's sentence is reduced from 189 months to 169 months.

IT IS FURTHER ORDERED that the Bureau of Prisons provide Defendant with anger management counseling within 180 days of his release from custody.

DATED: August 20, 2012

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge